IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

PRESENT
THE HON'BLE MR JUSTICE R.SUBHASH REDDY
WRIT PETITION NO : 16927 of 2006

Dated 18th September, 2006

Between
Islamia Educational Society and others

… Petitioners

And

Government of A.P., represented by its
Principal Secretary, Minority Welfare Department,
Secretariat, Hyderabad and another.

…Respondents.

ORAL ORDER:

Having regard to the nature of relief sought for, this writ petition can be disposed of, at this stage.

The petitioner is seeking directions by way of mandamus to declare the action of the first respondent in not processing the application of the petitioners dated 3.8.2006 for recognition of the 2nd petitioner-degree college as minority institution.

It is the case of the petitioners that the first petitioner-society is running second petitioner – degree college and they made application initially on 13.7.2001 and further applications on 5.7.2004 and 3.8.2006. But, in spite of the same, no action is being taken for grant of recognition of the second petitioner-degree college as a minority institution.

Though no counter-affidavit is filed, it is submitted by the learned Government Pleader appearing for the respondents that

pursuant to the representation made on 5.7.2004, a report was called for by the Principal Secretary to Government, Minorities Welfare from the Director of Collegiate Education, and, pursuant to the same, enquiry was conducted and the inspecting authority has reported that there is no such college, no students and staff as stated by the petitioner, and such a report was submitted by the Director of Collegiate Education to the Government, which is the authority competent to pass orders.

But, however, learned counsel for the petitioners submits that the premises of the college was changed from Bowenpally, Secunderabad to premises No.9-4-142 to 153, Rezimental Bazar, Secunderabad.

In any event, it is to be seen that the representation dated 3.8.2006 was not made to the first respondent-Government, which is the competent authority to pass orders as per the rules framed in this behalf. In that view of the matter, I dispose of the writ petition permitting the petitioners to make a fresh representation to the Government within a period of four weeks from today giving the address of the college where it is presently being run and seeking minority status. If such a representation is filed, the same shall be examined and appropriate orders shall be passed and communicated to the petitioner within a period of three months from today.

Subject to the above direction, the writ petition is disposed of. No costs.

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18.9.2006

R.SUBHASH REDDY, J.

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